

REMARKS

These remarks are responsive to the Office Actions dated March 10, 2004 and July 27, 2004. Claims 1-97 have been cancelled without prejudice or disclaimer. Claims 98-189 have been added. Support for these new claims may be found from the cancelled claims.

In the March 10, 2004 Office Action, the Examiner required the applicants to restrict/elect one of the following inventions:

Claims 1-13 and 45-57; Claims 14-26 and 58-70; Claims 27-37 and 71-81; or Claims 38-44, 82-88 and 89-97. Applicants provisionally elect Claims 14-26 and 58-70, however, applicants respectfully submit that the restriction requirement is traversed based upon the new claims.

In the July 27, 2004 Office Action, the Examiner asserted that the “reply filed on 5/10/2004 (paper #9) is not fully responsive to the prior office action” because it fails to address the rejections of the claims to which the new claims correspond. Thus, applicants submit this replacement response to the March 10, 2004 Office Action which merely adds the remarks that the Examiner requests in the July 27, 2004 Office Action.

According to the Examiner, the cancelled claims were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,385,303 to Peterson *et al.* (hereinafter “Peterson”). In addition, some of the cancelled claims were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,623,537 to Ensor *et al.* (hereinafter “Ensor”). Newly presented Claims 98-189 are novel over Peterson and Ensor for the following reasons.

Peterson discloses a method and system for identifying and announcing a caller and a callee of an incoming telephone call. In the sections of Peterson cited by the Examiner (col. 4, ln. 63-col. 5, ln. 3 and col. 14, ln. 13-col. 15, ln. 21 and the call announce feature described therein) Peterson discloses receiving a telephone call, prompting the caller for his/her name then announcing the name on the speaker of the telephone. In the event that multiple phones are connected to the same line, only one phone prompts the caller for his/her name, but all phones receive the response and announce the name on their associated speaker. The response is not received by one phone then broadcast to the others. This is distinguishable from the present claims which require, *inter alia*, broadcasting, using the local CPE, a derived call information. . . over a communications network to the at least one remote CPE. The system disclosed in Peterson does not disclose, teach or suggest a local CPE broadcasting derived call information to a remote CPE.

Ensor discloses a telephone message center that includes a plurality of adjunct units communicating with a controller unit, where the adjunct units may be located in different geographical locations. (See, Col. 3, lines 1-11 and Col. 4, lines 7-18). The controller unit is able to associate a name or other identifying information with the incoming caller ID information. (See, Col. 4, lines 33-50). However, the Ensor's telephone message center does not derive, at a local CPE, call information derived from the incoming call information, as recited by Claim 1. Instead, Ensor's controller unit, which is not located at a local CPE, associates a name or other information with the incoming caller data and then broadcasts it to an adjunct unit. (See, Col. 4,

lines 42-44). The system disclosed in Ensor also does not disclose, teach or suggest a local CPE broadcasting derived call information to a remote CPE.

No new matter has been added.

The claims currently presented are proper and definite. Allowance is accordingly in order and respectfully requested. However, should the Examiner deem that further clarification of the record is in order, we invite a telephone call to the Applicants' undersigned attorney to expedite further processing of the application to allowance.

Respectfully submitted,



Richard M. Lehrer
Reg. No. 38, 536
MINTZ LEVIN COHN FERRIS
GLOVSKY & POPEO, P.C.
Chrysler Center
666 Third Avenue, 24th Floor
New York, NY 10017
Tel: (212) 935-3000
Fax: (212) 983-3115

RML:sds